

REMARKS

The above amendments to the above-captioned application along with the following remarks are being submitted as a full and complete response to the Office Action dated July 6, 2006 (U.S. Patent Office Paper No. 20060622). In view of the above amendments and the following remarks, the Examiner is respectfully requested to give due reconsideration to this application, to indicate the allowability of the claims, and to pass this case to issue.

Status of the Claims

As outlined above, claims 1-6, 8-17 and 19-23 stand for consideration in this application, wherein claims 7 and 18 were canceled without prejudice or disclaimer, while claims 1 and 12 are being amended to correct formal errors and to more particularly point out and distinctly claim the subject invention. In addition, new claims 21-23 are hereby submitted for consideration.

All amendments to the application are fully supported therein. In particular, support for amendments of claims 1 and 12 may be found in Fig. 3 and on page 16, line 11- page 19, line 12 of the specification. Support for new claims 21, 22, and 23 may be found in the specification on page 60, line 22 - page 63, line 7, Fig. 1 and page 40, line 5 – page 43, line 10, and page 16, lines 11-23, respectively. Applicants hereby submit that no new matter is being introduced into the application through the submission of this response.

Prior Art Rejections

The First 35 U.S.C. §103(a) rejection

Claims 1-6, 8-10, 12-17 and 19 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Summerell et al. (U.S. Pat. 5,937,387) in view of Campell et al. (U.S. Pat. 6,059,724). This rejection is respectfully traversed for the reasons set forth below.

According to the Manual of Patent Examining Procedure (M.P.E.P. §2143),

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both not be found in the prior art, not in the applicant's disclosure.

Claim 1

Claim 1 now recites that a health management support method implemented in a computer-based data processing system for generating life expectancy data to be used in a health management system, comprising: providing a database for storing healthy life expectancy prediction data that represents transition of a percentage of normal people in each result of health screening; generating health screening report data for each person who undergoes health screening by data entry means; generating personal healthy life expectancy prediction data by selecting at least one of said healthy life expectancy prediction data from said database in combination of at least one of daily living habits and at least one of decision results in said inputted health screening report data for each said person; estimating a predicted period of healthy life expectancy of each said person, by selecting one of said healthy life expectancy data from said database in accordance with said at least one of daily living habits and said at least one of decision results in said health screening data of said person who undergoes health screening and calculating based on said selected personal healthy life expectancy prediction data; and outputting said estimated predicted period of healthy life expectancy of each said person.

The method recited in claim 1 uses, as healthy life expectancy prediction data, the basic data for predicting healthy life expectancy from a diversity of healthy screening report data which includes data regarding daily living habits. In this method, a predicted period of healthy life expectancy of each individual person can be estimated from the report data of each individual's health screening. Therefore, each person who underwent health screening can grasp his or her health condition quantitatively based on an index of healthy life expectancy, and is encouraged to pay attention to self-healthcare. This method can also provide an index of health in an intuitively and easily understandable expression. (Page 21 line 6 – page 22, line 10 of the specification)

In sum, the method now recited in claim 1 makes it possible to estimate a period of healthy life expectancy of each individual from the combination of daily living habits and a decision result of health screening data. Therefore, he/she could assume that unhealthy daily living habits or unhealthy elements tested in the health screening shortens the healthy life expectancy, and he/she can change those daily living habits to improve his/her healthy life expectancy.

Furthermore, in the method recited in claim 1, an individual's healthy life expectancy is estimated. Healthy life expectancy is life expectancy of a person during which the person

would be able to live on his/her own in mind and body in the active state, not a mere life expectancy. (Page 15, lines 9-11 of the specification)

In contrast, Summerell merely shows a system for calculating health and life insurance premiums wherein collecting information about exercise, diet, habits, health history and conditions, etc, and using these data to calculate the users' current wellness state. Summerell merely shows that a pool of insurance applicants and policyholders is stratified according to the degree of the calculated user's current wellness state. Furthermore, contrary to the Examiner's allegation, Summerell merely shows calculating a relative probability, which is a probability that a particular person will live for a period of time, whether or not he/she is able to live on his/her own in mind and body in the active state, based on a result of the health profile questionnaire. Relative probability in Summerell is different from personal healthy life expectancy recited in claim 1. Summerell does not show nor explicitly or implicitly suggest estimating a predicted period of healthy life expectancy of each person.

Campell merely shows a computer-based system for predicting future health of an individual by quantitatively estimating the probability of acquiring the specified biological condition based on the distribution of the selected biomarkers, namely a substance used as an indicator of a biological state as shown in Table 1 (col. 4, line 26 - col. 5, line 67). Campell uses only biomarkers to estimate the future health of an individual. Campell does not show using daily living habits such as smoking, drinking and exercise to estimate relative probability and even any relation between biomarkers and daily living habits. Because Campell's method does not show what factors are likely to change the values of biomarkers, an individual cannot manage daily living habits for his/her health management by looking at the estimate of future health which was obtained solely based on biomarkers.

Furthermore, the Examiner alleged that one of ordinary skill would have found it obvious at the time of the invention to combine the teaching of Campell with the teaching of Summerell with the motivation of providing a means of predicting the onset of health problems as shown in col. 4, lines 27-32 of Campell. Applicants respectfully disagree.

In addition to showing biomarkers are used to predict future health, Campell merely states on col. 4, lines 27-32 that it would not only reliably predict the onset of a specific health problem within a specified time period, but such a tool would also be useful for monitoring the prevention measures that are taken based on such predictions. In Campell, a user may recognize his/her current and future health state, but is not given any practical information for health management such as information regarding the relationship between the status of health/biomarkers and daily living habits. Campell does not show nor explicitly

or implicitly suggest factors other than biomarkers, namely the combination of daily living habits and decision results of health screening that can be used to predict one's future health. This indicates that there is no suggestion or motivation in Campell to combine the teaching of Campell with the teaching of Summerell explicitly or implicitly, or in the knowledge generally available to one of ordinary skill in the art at the time the invention was made to embody all the features of the invention as recited in claim 1. Accordingly, claim 1 is not obvious in view of all the prior art recited.

Claim 12

Claim 12 has the substantially same features as those of claim 1. As such, the arguments set forth above are equally applicable here. Claim 1 being allowable, claim 12 must also be allowable.

Claims 2-6, 8-10, 13-17 and 19

As to dependent claims 2-6, 8-10, 13-17 and 19, the arguments set forth above with respect to independent claims 1 and 12 are equally applicable here. The corresponding base claim being allowable, claims 2-6, 8-10, 13-17 and 19 must also be allowable.

The Second 35 U.S.C. §103(a) rejection

Claim 20 was rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over Summerell and Campbell, as applied to claim 1 above, and further in view of Iliff (U.S. Pat. 6,569,093) and further in view of Seare et al. (U.S. Pat. 5,557,514). This rejection is respectfully traversed for the reasons set forth below.

As to dependent claim 20, the arguments set forth above with respect to independent claims 1 are equally applicable here. Neither Iliff nor Seare shows an element that combination of Summerell and Campbell fails to show. Accordingly, claim 20 must also be allowable.

Conclusion

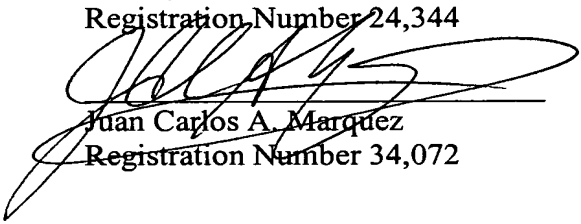
In view of all the above, Applicants respectfully submit that certain clear and distinct differences as discussed exist between the present invention as now claimed and the prior art references upon which the rejections in the Office Action rely. These differences are more than sufficient that the present invention as now claimed would not have been anticipated nor

rendered obvious given the prior art. Rather, the present invention as a whole is distinguishable, and thereby allowable over the prior art.

Favorable reconsideration of this application as amended is respectfully solicited. Should there be any outstanding issues requiring discussion that would further the prosecution and allowance of the above-captioned application, the Examiner is invited to contact the Applicants' undersigned representative at the address and phone number indicated below.

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September 28, 2006
SPF/JCM/YOM